

REMARKS

Applicant requests reconsideration and allowance in view of the foregoing remarks. Claims 1-29 have been cancelled. Claims 30-50 have been added. Claims 30-50 are pending, with claims 30, 40, and 42 being independent.

35 U.S.C. 112 Rejections

The Office Action noted that that original claims 2, 9, and 16 recited elements which had not been disclosed, hence making the scope of these claims unascertainable. Applicant has cancelled claims 1-29, thus rendering the above rejection moot. Accordingly, applicant requests reconsideration and withdrawal of this rejection.

Rabinovich Rejections

Claims 1, 4, 5, 6, 8-12, 16-18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Rabinovich (U.S. Patent No. 6,256,675) in view of Coley et al. (U.S. Patent No. 5,826,014). Applicant has cancelled claims 1-29, rendering this rejection moot. However, in light of the addition of new claims 30-50, the following comments are provided to emphasize some of the distinctions between the presently pending claims and the cited references.

The new claim 30 recites receiving, at a primary communications system, a request to access a communications network. The request is issued by an online identity operating a client system and is processed at the primary communication system. The primary communication system determines a geographic location associated with at least one of the online identity and the client system and then, based on the determined geographic location, further identifies a secondary communications system that is more geographically proximate the geographic location than the primary communications system. Once the secondary communication system is determined, the client system is enabled to use the secondary communication system as an access point to the communications network

The system of Rabinovich operates in a substantially different manner. The Office Action notes that Rabinovich "teaches a system and method for distributing a request for an

object from a requestor.” (Office Action, page 5) However, Rabinovich does not teach “enabling configuration of the client system to use the secondary communication system as an access point to the communications network,” as recited by claim 1.¹ Specifically, Rabinovich is directed to distributing requests for an object efficiently among replicas of the requested object stored on a plurality of servers, and furthermore, managing the placement of replicas of objects, including their replication, migration, and deletion on hosts at which the replicas are stored. (Col. 6, lines 1-6). As seen in FIG. 1 of Rabinovich, requestor 109 accesses the network 102 before obtaining access to request distributor 101. Requestor 109 sends requests for objects, which are then received by request distributor 101 (201, FIG. 2). Request distributor 101 selects a geographically one of the proximate hosts 103-105 that store replicas of the requested objects and redirects requests for objects to the proximate host. (Col. 7, lines 39-44). Finally, requestor 109 receives the requested objects from the selected, geographically proximate hosts 103-105. (204, FIG. 2). In other words, Rabinovich is directed to the distribution of objects requests, such as web page requests, among multiple servers.

Consequently, Rabinovich does not teach “enabling configuration of the client system to use the secondary communication system as an access point to the communications network.² First, Rabinovich does not teach “enabling configuration of the client,” as the system in Rabinowich does not change the configuration of the client (requester 109). The system of Rabinovich may change the configuration of the replicators/request distributors 101 within the request distribution system, but it leaves the client configurations intact (Col. 13, lines 47-63). Second, as seen in FIG. 1 of Rabinovich, neither the request distributor 101 nor the hosts 103-105 act as “access points to the communications network” for requestor 109. Requests from requestor 109 first pass through the network 102 before arriving at either request distributor 101 or hosts 103-105. Hence, requestor 109 must use some means other than the request distributor 101 and the hosts 103-105 to gain access to the network 101. In other words, Rabinovich is directed to distribution of server requests (such as web page requests) and not distribution of

¹ Emphasis added.

² Emphasis added.

network access requests (requests to gain access to a network through a network/service provider, such as AOL).

Similarly, Coley et al. does not fix the deficiencies of Rabinovich. Coley teaches a firewall system that is resistant to hacker attacks (Col. 5, lines 49-54). Coley does not teach "enabling configuration of the client system to use the secondary communication system as an access point to the communications network," as recited by claim 1.

Because Rabinovich and Coley each fail to disclose or suggest "enabling configuration of the client system to use the secondary communication system as an access point to the communications network," their combination also fails to disclose or suggest at least this feature. Accordingly, Applicant respectfully requests withdrawal of the rejections of claim 30 and claims 31-39, depending therefrom.

Independent claims 40 and 42, and dependent claims 41, 43-50 recite limitations similar to those discussed above with respect to claim 30, and should be allowed for the same reasons provided above.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 3/4/2005

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